

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In re:

PATRIOT COAL CORPORATION, *et al.*,

Debtors.

Chapter 11

Case No. 15-32450 (KLP)

Jointly Administered

BLACK DIAMOND COMMERCIAL FINANCE,
LLC,

Plaintiff,

-against-

VIRGINIA CONSERVATION LEGACY FUND,
INC. and ERP COMPLIANT FUELS, LLC,

Defendants.

Adv. Proc. No. 16-03105
(KLP)

VIRGINIA CONSERVATION LEGACY FUND,
INC. and ERP COMPLIANT FUELS, LLC,

Counterclaim-Plaintiffs,

-against-

BLACK DIAMOND COMMERCIAL FINANCE,
LLC,

Counterclaim-Defendant.

REVISED STIPULATION
ENTERING INTO EVIDENCE UNOPPOSED EXHIBITS

Stipulation by the Parties

This *Revised Stipulation Entering Into Evidence Unopposed Exhibits* (the “Revised Stipulation”) is entered into this 25th day of June 2018, by and among Defendants/Counterclaim-Plaintiffs Virginia Conservation Legacy Fund, Inc. and ERP Compliant Fuels, LLC (collectively, “VCLF”) and Black Diamond Commercial Finance, LLC (“Black Diamond”) (together, the “Parties”), in the above-captioned adversary proceeding.

WHEREAS, the Parties filed the *Stipulation Entering into Evidence Unopposed Exhibits* (Dkt. No. 341, the “Initial Stipulation”) on June 3, 2018;

WHEREAS, the Court admitted into evidence the unopposed exhibits on June 4, 2018;

WHEREAS, the Court requested that the Parties attempt to resolve any disputes concerning exhibits that have not been entered into evidence, and as to whose admissibility the Court did not rule at trial;

THE PARTIES NOW, THEREFORE, STIPULATE AND AGREE, by their undersigned counsel, that:

1. The following exhibits shall be entered into evidence:

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
1			Draft Valuation of Patriot Coal Services LLC Black Lung Liabilities as of December 31, 2013, dated January 17, 2014	BDCF-00007688 - BDCF-00007751
2			Oliver Wyman, Actuarial Evaluation of Workers’ Compensation Liability as of September 30, 2013, December 19, 2013 and December 31, 2013 for Midwest - Patriot Coal, dated January 30, 2014	BDCF-00007341 - BDCF-00007532
3			Oliver Wyman, Actuarial Evaluation of Workers’ Compensation Liability as of September 30, 2013, December 18,	BDCF-00007873 - BDCF-00008166

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			2013 and December 31, 2013 for West Virginia - Patriot Coal, dated January 30, 2014	
4			10/23/2015 Email from P. Potter to T. Clarke and others	VCLF-00183073 - VCLF-00183075
5			Oliver Wyman, Actuarial Evaluation of Workers' Compensation Liability as of September 30, 2014 and December 31, 2014 for Midwest - Patriot Coal, dated January 20, 2015	BDCF-00000038 - BDCF-00000225
6			Oliver Wyman, Actuarial Evaluation of Workers' Compensation Liability as of September 30, 2014 and December 31, 2014 for West Virginia - Patriot Coal, dated January 20, 2015	BDCF-00000226 - BDCF-00000517
7			Draft Valuation of Patriot Coal Services LLC Black Lung Liabilities as of December 31, 2014, dated February 5, 2015	BDCF-00000520 - BDCF-00000608
8			6/10/2015 Teneo Engagement Letter	VCLF-00023305 - VCLF-00023313
9			6/28/2015 Dial-in appointment	VCLF-00172923
10			7/24/2015 Dial-in appointment	VCLF-00173077
11			8/4/2015 Email from B. Murphy to T. Clarke and others	VCLF-00173115 - VCLF-00173116 VCLF-00126727 - VCLF-00126734
12			8/6/2015 Email from T. Clarke to J. McCoy and others	VCLF-00027564 - VCLF-00027568
13			8/6/2015 Email from J. McCoy to M. Johnson re: Fwd: Proposed Terms of ERP Compliant Fuels, LLC Membership and Operating Agreement 8-6-2015	
14			8/14/2015 Email from B. Murphy to T. Clarke	VCLF-00173139 - VCLF-00173142
15			Asset Purchase Agreement, dated August 16, 2015	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
16			8/24/2015 Email from B. Murphy to P. Laud	TEN0013126 - TEN0013130
17			ERP Compliant Fuels, LLC presentation, dated August 27, 2015	BDCF-00025931 - BDCF-00025952
18			9/10/2015 Email from R. Kwasteneit to P. Potter	PWSP-00018388 - PSWP-00018389
20			9/15/2015 Email from J. McCoy to M. Johnson re: Proposed Terms of ERP Compliant Fuels, LLC Membership and Operating Agreement 8-6-2015	
21			9/15/2015 Email from J. McCoy to T. Darden re: Fwd: ERP Compliant Fuels Org Chart 091415	
26			9/18/2015 Email from J. McCoy to T. Darden	IM-00016827 - IM-00016828
27			9/19/2015 Email from J. McCoy to T. Darden	IM-00016845 - IM-00016857
29			9/18/2015 Email from J. McCoy to C. Worcester and Guy re: new US coal opportunity	
30			9/18/2015 Email from J. McCoy to R. McCormick re: TN Met Coal Project	(IM0202)
31			9/18/2015 Email from J. McCoy to A. Qalbani re: patriot deal	(IM0203)
33			9/20/2015 Email from R. Ehrlich to S. Deckoff and others	BDCF-00018511
34			9/20/2015 Email from R. Ehrlich to T. Clarke	BDCF-00018548 - BDCF-00018559
35			9/20/2015 Email from R. Lattouf to R. Ehrlich	BDCF-00018560
36			9/20/2015 Draft Commitment Letter	BDCF-00020504 - BDCF-00020508
37			9/20/2015 Email from R. Ehrlich to R. Silverman and others	BDCF-00082485
38			9/20/2015 Email from A. Harris to P. Potter	SRZ-00000034

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
39			9/20/2015 Email from B. Murphy to K. Miller	TEN0019455 - TEN0019456
40			Commitment Letter	BDCF-00028157 - BDCF-00028166
41			Motion for an Order, Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure and Section 105(A) of the Bankruptcy Code, Approving Settlement Agreement by and Between Old Republic Insurance Company and the Debtors, <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 1350)	
42			9/21/2015 Email from J. McCoy to M. Johnson re: Tuesday	
43			9/22/2015 Email from R. Lattouf to R. Lattouf	BDCF-00020511 - BDCF-00020514
44			9/22/2015 Email from R. Lattouf to R. Lattouf	BDCF-00020515 - BDCF-00020592
45			9/22/2015 Email from J. McCoy to F. Wendt re: VCLF Patriot Update 9/21/2015	
46			9/22/2015 Email from J. McCoy to T. Darden re: VCLF Patriot Update 9/21/2015	
47			9/23/2015 Email from J. McCoy to S. Humphrey re: VCLF Patriot Update 9-21-2015	
48			9/25/2015 Email from J. McCoy to T. Darden re: Fwd: Patriot - ERP Business Plan - DRAFT FOR REVIEW	
49			9/26/2015 Email from P. Potter to A. Harris	SRZ-00000074 - SRZ-00000075
50			9/30/2015 Email from J. McCoy to V. Mutolo, K. Miller re: Fwd: Patriot - ERP Business Plan - DRAFT FOR REVIEW	(IM0342)
51			9/30/2015 Email from J. McCoy to K. Miller re: Patriot - ERP Business Plan - DRAFT FOR REVIEW	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
52			10/2/2015 Email from J. McCoy to D. Williams re: Patriot Trial	
53			10/7/2015 Email from T. Clarke to R. Ehrlich	BDCF-00041379 - BDCF-00041380
54			10/7/2015 Email from A. Troop to T. Clarke	TEN043407
55			10/9/2015 Email from S. Deckoff to R. Ehrlich	BDCF-00043975 - BDCF-00043976
56			10/9/2015 Email from S. Deckoff to K. McCoy	BDCF-00043994 - BDCF-00043995
57			12/09/2015 Email from M. Collins to B. Murphy and others	VCLF-00013925 - VCLF-00013940
58			10/10/2015 Email from J. Weiss to S. Deckoff	BDCF-00044096 - BDCF-00044101
59			10/10/2015 Email from S. Deckoff to K. McCoy	VCLF-00020195
61			Draft Amended and Restated Asset Purchase Agreement, dated 10/13/2015	BDCF-00078414 - BDCF-00078500
62			10/13/2015 Email from P. Potter to T. Clarke	VCLF-00174166 - VCLF-00174167
63			10/13/2015 Email from T. Clarke to P. Potter	VCLF-00174172 - VCLF-00174173
64			10/13/2015 Email from T. Clarke to A. Troop	VCLF-00174183 - VCLF-00174186
65			Order Approving Settlement Agreement By and Between Old Republic Insurance Company and the Debtors, <i>In re Patriot Coal Corp.</i> Case No. 15-32450 (Dkt. No. 1640)	
66			10/14/2015 McCoy Text messages report	(excerpt of VCLF-00123846)
67			10/14/2015 Email from J. McCoy to R. Newton	IM-00018626 - IM-00018637
68			10/14/2015 Email from J. McCoy to G. Chamblee re: Revised Federal 13 Week Cash Plan 10-11-2015	
69			10/15/2015 Email from J. McCoy to M. Loreman re: Non-binding	(IM0548)

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			proposal to provide marketing services and inventory/receivables financing	
72			10/15/2015 Email from F. Kwok to M. Mueller	PWSP-00056197
73			10/15/2015 Email from P. Potter to T. Clarke and others	VCLF-00174775 - VCLF-00176776
74			10/15/2015 Email from D. Baxter to T. Clarke	VCLF-00174798 - VCLF-00174800
75			10/15/2015 Email from T. Clarke to P. Potter	VCLF-00175456 - VCLF-00175457
76			10/15/2015 Email from M. Loreman to J. McCoy re: Non-binding proposal to provide marketing services and inventory/receivables financing	IM0546
77			Draft Amended and Restated Asset Purchase Agreement, dated 10/16/2015	BDCF-00050049 - BDCF-00050123
78			10/16/2015 Email from T. Clarke to P. Potter	SRZ-00004236 - SRZ-00004240
79			10/16/2015 Email from T. Clarke to P. Potter	VCLF-00175529 - VCLF-00175531
80			10/16/2015 Email from K. McCoy to P. Potter	VCLF-00175574 - VCLF-00175575
81			Draft Amended and Restated Asset Purchase Agreement, dated 10/19/2015	BDCF-00054055 - BDCF-00054131
83			10/19/2015 Email from B. Murphy to K. McCoy	TEN0032007 - TEN0032013
84			10/19/2015 Email from J. McCoy to K. McCoy and others	VCLF-00076894 - VCLF-00076898
85			10/19/2015 Email from M. Loreman to J. McCoy re: Non-binding proposal to provide marketing services and inventory/receivables financing	
86			10/19/2015 Email from J. McCoy to D. Turner re: mining complex org chart	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
87			10/19/2015 Email from J. McCoy to K. McCoy, T. Clarke re: Non-binding proposal to provide marketing services and inventory/receivables financing	IM0628
88			Draft Amended and Restated Asset Purchase Agreement, dated 10/20/2015	BDCF-00062842 - BDCF-00062916
89			Draft Amended and Restated Asset Purchase Agreement, dated 10/20/2015	BDCF-00066943 - BDCF-00067019
90			10/23/2015 Email from R. Ehrlich to H. Gravenhorst	BDCF-00082513 - BDCF-00082515
91			10/20/2015 Email from P. Potter to R. Kwasteneit	IM-00011856 - IM-00011857
92			10/20/2015 Email from R. Dombrowski to P. Potter	PWSP-00062344 - PWSP-00062368
95			10/20/2015 Appointment re: Patriot/VCLF: A&R Asset Purchase Agreement	VCLF-00177668
96			10/21/2015 Email from A. Harris to P. Potter	BDCF-00066686 - BDCF-00066691
97			10/21/2015 Email from P. Potter to D. Baxter and others	PWSP-00063467 - PWSP-00063472
98			10/21/2015 Email from A. Harris to P. Potter	PWSP-00065859 - PWSP-00065862
99			10/21/2015 Email from A. Harris to D. Baxter, E. Monahan	SRZ-00011141 - SRZ-00011145
100			10/21/2015 Email from B. Murphy to R. Ehrlich	TEN0028618 - TEN0028620
101			10/22/2015 Email from B. Murphy to R. Lattouf	BDCF-00076221 - BDCF-00076224
102			10/22/2015 Email from B. Murphy to J. Kucish and others	TEN0028675 - TEN0028681
103			10/22/2015 Email from B. Murphy to T. Clarke	TEN0028715
104			10/22/2015 Email from Z. Messenger to B. Murphy	TEN0032566 - TEN0032567

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
105			10/22/2015 Email from Z. Messenger to B. Murphy	TEN0032568 - TEN0032569
106			10/22/2015 Email from P. Potter to C. Mirick and others	VCLF-00182731 - VCLF-00182732
107			10/22/2015 Email from P. Potter to T. Clarke	VCLF-00182833 - VCLF-00182835
108			10/22/2015 Email from B. Murphy to T. Clarke	VCLF-00182954
109			10/23/2015 Email from T. Clarke to R. Ehrlich	BDCF-00076276 - BDCF-00076278
110			10/23/2015 Email from T. Clarke to J. Fontana, R. Ehrlich and others	BDCF-00076285 - BDCF-00076287
111			10/23/2015 Email from H. Gravenhorst to T. Clarke	BDCF-00076338 - BDCF-00076340
112			10/23/2015 Email from D. Baxter to M. Collins and others	BDCF-00076344 - BDCF-00076345
113			10/23/2015 Email from H. Gravenhorst to T. Clarke	BDCF-00076458 - BDCF-00076460
114			10/23/2015 Email from B. Murphy to P. Potter and others	BDCF-00076464 - BDCF-00076467
115			10/23/2015 Email from H. Gravenhorst to T. Clarke	BDCF-00076502 - BDCF-00076504
116			10/23/2015 Email from H. Gravenhorst to T. Clarke	BDCF-00076508 - BDCF-00076510
117			10/23/2015 Email from H. Gravenhorst to T. Clarke	BDCF-00076511 - BDCF-00076513
118			10/23/2015 Email from R. Lattouf to Z. Messenger	BDCF-00076597 - BDCF-00076598
119			10/23/2015 Email from R. Ehrlich to H. Gravenhorst	BDCF-00082510 - BDCF-00082512
120			10/23/2015 Email from R. Ehrlich to H. Gravenhorst	BDCF-00082516 - BDCF-00082518
121			10/23/2015 Email from R. Ehrlich to H. Gravenhorst	BDCF-00082519 - BDCF-00082521
122			10/23/2015 Email from R. Ehrlich to H. Gravenhorst	BDCF-00082522 - BDCF-00082524
123			10/23/2015 Email from R. Ehrlich to H. Gravenhorst	BDCF-00082525 - BDCF-00082528

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124			10/23/2015 Email from P. Potter to R. Kwasteneit	KE_BD_0002431
125			10/23/2015 Email from T. Clarke to J. Fontana and others	TEN0028733 - TEN0028737
126			10/23/2015 Email from J. McCoy to M. Loreman	TEN0032586
129			10/23/2015 Email from M. Madden to B. Murphy	TEN0032607 - TEN0032608
131			10/23/2015 Email from Z. Messenger to T. Clarke	VCLF-00086293 - VCLF-00086294
132			10/23/2015 Email from Z. Messenger to T. Clarke	VCLF-00086685 - VCLF-00086686
133			10/23/2015 Email from T. Clarke to K. McCoy and others	VCLF-00087583 - VCLF-00087584
134			10/23/2015 Email from K. McCoy to J. McCoy	VCLF-00087672 - VCLF-00087673
135			10/23/2015 Email from T. Clarke to P. Potter and others	VCLF-00087800 - VCLF-00087801
136			10/23/2015 Email from B. Murphy to P. Potter and others	VCLF-00087804 - VCLF-00087807
137			10/23/2015 Email from M. Loreman to M. Collins	VCLF-00088150
138			10/23/2015 Email from T. Clarke to P. Potter	VCLF-00182964 - VCLF-00182966
139			10/23/2015 Dial-in appointment	VCLF-00183016
140			10/23/2015 Email from P. Potter to T. Clarke and others	VCLF-00183080 - VCLF-00183082
141			10/23/2015 Email from K. McCoy to P. Potter	VCLF-00183194
142			10/23/2015 Email from P. Potter to K. McCoy	VCLF-00183195
143			10/23/2015 Email from K. McCoy to P. Potter	VCLF-00183196
144			10/23/2015 Email from M. Collins to J. McCoy re: Message from Tom	IM0691
145			10/23/2015 Email from M. Loreman to J. McCoy re: call	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
146			10/23/2015 Email from J. McCoy to S. Mundra, G. Chandak re: Non-binding proposal to provide marketing services and inventory/receivables financing	
147			10/23/2015 Email from A. Rosen to S. Levine, G. Crandall re: Patriot - confidential privileged work product	
148			10/23/2015 Email from R. Ehrlich to H. Gravenhorst re: FW: Summary of ERP Facilities	
149			10/23/2015 Email from R. Ehrlich to H. Gravenhorst re: Summary of ERP Facilities	
150			10/23/2015 Email from H. Gravenhorst to T. Clarke re: Summary of ERP Facilities	BDCF-00076338 - BDCF-00076340
151			10/23/2015 Email from M. Loreman to J. McCoy re: Fw: call	
152			10/23/2015 Email from J. McCoy to M. Collins re: Message from Tom	
153			10/23/2015 Email from J. McCoy to V. Mutolo re: United	
154			10/23/2015 Email from R. Ehrlich to H. Gravenhorst re: Summary of ERP Facilities	
155			10/23/2015 Email from J. McCoy to S. Mundra, G. Chandak re: Non-binding proposal to provide marketing services and inventory/receivables financing	IM0707
156			10/23/2015 Email from M. Loreman to J. McCoy re: Fw: call	IM0699
157			10/24/2015 Email from S. Deckoff to R. Ehrlich	BDCF-00077192
158			10/24/2015 Email from R. Ehrlich to T. Clarke	BDCF-00077196
159			10/24/2015 Email from S. Deckoff to M. Moreno	BDCF-00082156

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
161			10/24/2015 Email from S. Bremer to B. Murphy	CENTERVIEW_BD_0001664
162			10/24/2015 Email from T. Clarke to K. McCoy	TEN0032667 - TEN0032670
163			10/24/2015 Email from B. Bennett to B. Murphy	TEN0032673 - TEN0032674
164			10/24/2015 Email from B. Bennett to B. Murphy	VCLF-00088306 - VCLF-00088307
165			10/24/2015 Email from R. Ehrlich to T. Clarke	VCLF-00088391
166			10/24/2015 Email from R. Ehrlich to T. Clarke	VCLF-00088393
167			10/24/2015 Email from B. Murphy to Patriot Coal and others	VCLF-00173673
169			10/24/2015 Email from K. McCoy to P. Potter and others	VCLF-00183280 - VCLF-00183283
170			10/24/2015 Email from B. Murphy to K. McCoy and others	VCLF-00183302 - VCLF-00183307
171			10/24/2015 Email from B. Murphy to D. Baxter and others	VCLF-00183335 - VCLF-00183341
174			10/24/2015 Email from B. Murphy to A. Troop and others	VCLF-00183409 - VCLF-00183410
175			10/24/2015 Email from P. Potter to A. Troop and others	VCLF-00183413 - VCLF-00183414
176			10/24/2015 Email from T. Clarke to P. Potter	VCLF-00183565 - VCLF-00183568
177			10/24/2015 Email from S. Bremer to B. Murphy	CENTERVIEW_BD_0001664
178			10/25/2015 Email from R. Ehrlich to S. Deckoff	BDCF-00077216 - BDCF-00077218
179			10/25/2015 Email from A. Harris to P. Potter	BDCF-00077252 - BDCF-00077253
180			10/25/2015 Email from P. Potter to A. Harris	BDCF-00077254 - BDCF-00077263
181			10/25/2015 Email from A. Harris to P. Potter	BDCF-00077290 - BDCF-00077293
182			10/29/2015 Email from P. Potter to A. Harris	BDCF-00077403 - BDCF-00077404

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
183			10/24/2015 Email from P. Keary to B. Murphy	TEN0032686
184			10/25/2015 Investment Memorandum from G. Chandak to ERP Complaint Fuels, LLC	VCLF-00090077
185			10/25/2015 Investment Memorandum from G. Chandak to ERP Complaint Fuels, LLC	VCLF-00154825
186			10/24/2015 Email from P. Potter to T. Clarke and others	VCLF-00183514 - VCLF-00183518
187			10/25/2015 Email from P. Potter to T. Clarke	VCLF-00183526 - VCLF-00183527
188			10/25/2015 Email from T. Clarke to P. Potter	VCLF-00183538 - VCLF-00183540
189			10/25/2015 Email from P. Potter to T. Clarke	VCLF-00183544 - VCLF-00183546
190			10/25/2015 Email from P. Potter to T. Clarke	VCLF-00183547 - VCLF-00183549
191			10/25/2015 Email from P. Potter to T. Clarke	VCLF-00183554 - VCLF-00183556
192			10/25/2015 Email from T. Clarke to P. Potter	VCLF-00183573 - VCLF-00183574
193			10/25/2015 Email from P. Potter to T. Clarke	VCLF-00183615 - VCLF-00183620
194			10/25/2015 Email from T. Clarke to P. Potter	VCLF-00183651 - VCLF-00183657
195			10/25/2015 Email from W. Sullivan to A. Troop	VCLF-00183705 - VCLF-00183707
196			10/25/2015 Email from P. Potter to A. Troop and others	VCLF-00183759 - VCLF-00183760
197			10/25/2015 Email from C. Mirick to P. Potter and others	VCLF-00183777 - VCLF-00183778
198			10/25/2015 Email from P. Potter to C. Mirick, D. Baxter	VCLF-00183900 - VCLF-00183904
199			10/25/2015 Email from P. Potter to T. Clarke, K. McCoy	VCLF-00183962 - VCLF-00183963
200			10/26/2015 Email from T. Clarke to G. Chandak	IM-00029415 - IM-00029433

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
201			10/26/2015 Email from D. Baxter to S. Levine and others	PWSP-00075733 - PWSP-00075735
202			10/26/2015 Email from T. Clarke to Print Box	VCLF-00090663 - VCLF-00090702
203			10/26/2015 Email from J. McCoy to M. Collins	VCLF-00090777 - VCLF-00090778
204			10/26/2015 Email from M. Collins to K. McCoy and others	VCLF-00090780 - VCLF-00090820
205			10/26/2015 Email from S. Levine to B. Murphy and others	VCLF-00092244 - VCLF-00092246
206			10/26/2015 Email from P. Potter to C. Mirick and others	VCLF-00185523 - VCLF-00185526
207			10/26/2015 Email from T. Clarke to J. McCoy	VCLF-00187508
209			10/26/2015 Email from J. McCoy to sm@mundraholdings.com re: Fwd: Chandak Agreement	
210			10/26/2015 Email from G. Chandak to S. Mundra re: Fwd: Chandak Agreement	
211			10/25/2015 Email from J. McCoy to G. Chandak and others re: Fwd: Patriot/VCLF: Structure Chart	
212			10/26/2015 Email from J. McCoy to G. Woodruff and others re: Fwd: 2.5MM each guarantee	
213			10/26/2015 Email from J. McCoy to G. Woodruff and others re: Fwd: 2.5MM each guarantee	
214			10/27/2015 Email from P. Potter to R. Kwasteneit	KE_BD_0002354 - KE_BD_0002355
215			Promissory Note, Earnout Agreement and Security Agreement	KE_BD_0007124 - KE_BD_0007143
216			10/27/2015 Email from B. Murphy to M. Madden and others	TEN0032929
217			10/27/2015 Equity Investment Term Sheet	TEN0048605 - TEN0048608

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
218			10/27/2015 Assignment and Assumption Agreement	VCLF-00010900 - VCLF-00010910
219			10/27/2015 Email from B. Murphy to J. McCoy and others	VCLF-00097678
220			Final Amended and Restated Asset Purchase Agreement, dated October 27, 2015	VCLF-00102359 - VCLF-00102919
221			10/27/2015 Equity Investment Term Sheet	VCLF-00160295 - VCLF-00160299
222			10/27/2015 Email from J. McCoy to T. Clarke	VCLF-00188715 - VCLF-00188721
223			10/27/2015 Email from B. Murphy to M. McCoy, T. Clarke	VCLF-00188734 - VCLF-00188738
224			10/27/2015 Email from J. McCoy to C. DeGiacinto re: patriot	
225			10/27/2015 Email from M. Collins to G. Chandak re: ERP Federal Mining Complex, LLC Wire Instructions	
226			10/27/2015 Email from K. Miller to J. McCoy re: united	
227			10/27/2015 Email from J. McCoy to C. DeGiacinto re: we closed	
228			10/28/2015 Email from A. Harris to P. Potter	BDCF-00077396
229			10/28/2015 Email from B. Murphy to P. Potter and others	PWSP-00087889 - PWSP-00087891
230			10/29/2015 Email from P. Potter to A. Harris	BDCF-00077405 - BDCF-00077406
231			10/29/2015 - Email from P. Potter to A. Harris	PWSP-00089770
232			10/29/2015 Email from P. Potter to A. Harris	SRZ-00018794 - SRZ-00018795
236			11/01/2015 Email from M. Loreman to T. Clarke	VCLF-00104252
237			11/03/2015 Email from M. Collins to K. McCoy and others	VCLF-00009001 - VCLF-00009006
238			11/03/2015 Email from T. Clarke to M. Loreman	VCLF-00009086

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
239			11/05/2015 Email from B. Murphy to A. Zweig	TEN0034521 - TEN0034522
240			11/9/2015 Email from R. Lattouf to R. Ehrlich	BDCF-00077418
241			9/11/2015 Email from B. Murphy to R. Ehrlich	TEN0018387 - TEN0018410
242			11/19/2015 Hitachi Proposal	VCLF-00013234 - VCLF-00013237
243			11/20/2015 Letter from T. Clarke to B. Murphy	VCLF-00013214
244			12/14/2015 North Mill Capital LLC Proposal	VCLF-00014057 - VCLF-00014059
245 ¹			Oliver Wyman, Actuarial Evaluation of Workers' Compensation Liability as of September 30, 2015 and December 31, 2015 for Midwest - Patriot Coal, dated December 22, 2015	
246			10/12/2015 text message from K. McCoy to T. Clarke	excerpt of VCLF-00123846
247			10/23/2015 text message from K. McCoy to T. Clarke	excerpt of VCLF-00123846
248 ²			Oliver Wyman, Actuarial Evaluation of Workers' Compensation Liability as of September 30, 2015 and December 31, 2015 for West Virginia - Patriot Coal, dated January 14, 2016	
249			VCLF and ERP Responses to First Set of Interrogatories, dated 10/31/2016	
250			VCLF and ERP Responses to First Set of Requests for Admission, dated 10/31/2016	

¹ The Parties reserve their rights to argue the evidentiary weight and permissible uses and purposes of this exhibit.

² The Parties reserve their rights to argue the evidentiary weight and permissible uses and purposes of this exhibit.

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
251			VCLF and ERP Supplemental Interrogatory Responses to First Set of Interrogatories, dated 11/21/2016	
252			Plaintiff's Responses and Objections to Defendants/Counterclaim- Plaintiffs' First Set of Interrogatories, dated 12/12/2016	
253			AT&T phone records for T. Clarke, from 10/22/2015 through 10/25/2015	
261			Expert Report of Robert K. Briscoe, WCP, dated 4/17/2018	
262			Screenshots of text messages from M. Moreno to S. Deckoff	BDCF-00082153 - BDCF-00082155
263			9/22/2015 Email from J. McCoy to T. Darden re: Fwd: VCLF Patriot Update 9-21-2015	IM0238 - IM0240
264			9/25/2015 Email from J. McCoy to T. Darden re: Fwd: Patriot - ERP Business Plan - DRAFT FOR REVIEW	IM0288
265			10/14/2015 Email from J. McCoy to G. Chamblee re: Revised Federal 13 Week Cash Plan 10-11-2105	IM0515
266			10/19/2014 Email from M. Loreman to J. McCoy re: Non-binding proposal to provide marketing services and inventory/receivables financing	IM0630
267			10/23/2015 Email from M. Collins to J. McCoy re: Message from Tom	IM0691
268			10/23/2015 Email from M. Loreman to J. McCoy re: call	IM0696
269			10/23/2015 Email from J. McCoy to S. Mundra, G. Chandak re: Fwd: Non-binding proposal to provide marketing services and inventory/receivables financing	IM0707

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
270			10/26/2015 Email from J. McCoy to S. Mundra re: Fwd: Chandak Agreement	IM0730
271			8/31/2015 Email from R. Ehrlich to S. Deckoff and others	BDCF-00018025 - BDCF-00018047
272			9/23/2015 Email from K. McCoy to R. Lattouf	BDCF-00026071
273			9/23/2015 Email from G. Shertenlieb to R. Lattouf	BDCF-00027981 - BDCF-00027988
274			9/24/2015 Email from D. Tropp to R. Lattouf, M. Patrick	BDCF-00028141 - BDCF-00028150
276			9/25/2015 Email from R. Ehrlich to T. Clarke	BDCF-00034443
277			9/25/2015 Email from T. Clarke to R. Ehrlich	BDCF-00038805 - BDCF-00038807
278			9/26/2015 Email from R. Lattouf to G. Shertenlieb	BDCF-00038811 - BDCF-00038812
279			9/26/2015 Email from R. Lattouf to D. Tropp, M. Patrick	BDCF-00038813 - BDCF-00038824
281			9/29/2015 Email from D. Tropp to R. Lattouf, M. Patrick	BDCF-00039968 - BDCF-00039981
282			10/9/2015 Email from K. McCoy to R. Ehrlich	BDCF-00043424 - BDCF-00043428
285			10/20/2015 Email from M. Mueller to A. Harris and others	BDCF-00062434 - BDCF-00063388
286			10/21/2015 Email from B. Murphy to R. Lattouf and others	BDCF-00066479 - BDCF-00066481
287			10/21/2015 Email from B. Murphy to R. Ehrlich	BDCF-00066499 - BDCF-00065502
288			10/21/2015 Email from B. Murphy to J. Kucish	BDCF-00066698 - BDCF-00066702
289			10/21/2015 Email from M. Mueller to S. Hessler and others	BDCF-00074349 - BDCF-00075311
291			10/22/2015 Email from B. Murphy to R. Lattouf and others	BDCF-00076060 - BDCF-00076062
292			10/22/2015 Email from R. Lattouf to B. Murphy, Z. Messenger	BDCF-00076107 - BDCF-00076108

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
293			10/22/2015 Email from R. Lattouf to B. Murphy, Z. Messenger	BDCF-00076111 - BDCF-00076112
294			10/22/2015 Email from Z. Messenger to R. Lattouf, B. Murphy	BDCF-00076154 - BDCF-00076157
295			10/22/2015 Email from B. Murphy to Z. Messenger, R. Lattouf	BDCF-00076212 - BDCF-00076215
296			10/24/2015 Email from R. Ehrlich to T. Clarke	BDCF-00077194
297			10/25/2015 Email from P. Potter to A. Harris	BDCF-00077219 - BDCF-00077251
298			10/25/2015 Email from P. Potter to A. Harris	BDCF-00077254 - BDCF-00077263
299			Screenshot of text message from S. Deckoff to T. Clarke	BDCF-00077481
300			R. Lattouf Hand notes	BDCF-00081969 - BDCF-00081996
301			10/27/2015 Email from P. Potter to R. Kwasteniet	KE_BD_0007119 - KE_BD_0007143
302			10/26/2015 Email from E. Monahan to J. Pitts and others	PWSP-00074657 - PWSP-00074854
303			9/20/2015 Email from B. Murphy to T. Clarke	TEN0019465 - TEN0019467
304			10/22/2015 Email from B. Bennett to T. Clarke	VCLF-00085885 - VCLF-00085889
305			10/2015 McCoy Text messages report	VCLF-00123845 excerpts
306			K. McCoy Old iPhone Report	VCLF-00123846
307			VCLF Privilege Log Excerpts	
311			8/17/2015 Email from Debtwire US Alert to R. Ehrlich	BDCF-00011893 - BDCF-00011894
312			8/27/2015 Email from P. Laud to R. Ehrlich	BDCF-00017930 - BDCF-00017935
313			9/11/2015 Email from B. Murphy to R. Ehrlich	BDCF-00018275 - BDCF-00018299
314			9/13/2015 Email from B. Murphy to R. Ehrlich	BDCF-00018384 - BDCF-00018385

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
315			9/15/2015 Email from T. Clarke to S. Deckoff, R. Ehrlich	BDCF-00018428
316			9/17/2015 Email from B. Murphy to R. Ehrlich	BDCF-00018443 - BDCF-00018449
317			9/19/2015 Email from T. Clarke to R. Ehrlich	BDCF-00018463 - BDCF-00018465
318			9/20/2015 Email from R. Ehrlich to T. Clarke	BDCF-00018524 - BDCF-00018535
319			9/22/2015 Email from R. Ehrlich to M. Patrick	BDCF-00024744
320			9/28/2015 Email from R. Lattouf to T. Clarke	BDCF-00038843 - BDCF-00038844
321			9/28/2015 Email from B. Murphy to S. Bremer, K. Dutta	BDCF-00039762 - BDCF-00039763
322			10/6/2015 Email from R. Ehrlich to T. Clarke	BDCF-00041353
323			10/8/2015 Email from A. Harris to R. Ehrlich and others	BDCF-00041445 - BDCF-00041449
324			10/9/2015 Email from R. Ehrlich to S. Deckoff	BDCF-00041460
326			10/12/2015 Email from P. Potter to A. Harris, R. Ehrlich	BDCF-00044230 - BDCF-00044431
327			10/15/2015 Email from B. Murphy to R. Lattouf and others	BDCF-00049766 - BDCF-00049944
328			10/19/2015 Email from M. Mueller to R. Ehrlich, R. Lattouf	BDCF-00053976 - BDCF-00054200
329			10/21/2015 Email from A. Harris to M. Mueller and others	BDCF-00066867 - BDCF-00067019
330			10/21/2015 Email from P. Potter to R. Kwasteniet	BDCF-00075478 - BDCF-00075482
331			10/22/2015 Email from R. Ehrlich to G. Shertenlieb	BDCF-00077539
332			9/18/2015 through 10/23/2015 text messages between T. Clarke and R. Ehrlich	BDCF-00082141 - BDCF-00082151
333			6/25/2015 Order (A) Approving Bidding Procedures and Bid Protections in Connection with the Sales of Certain of the Debtors'	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			Assets, (B) Approving the Form and Manner of Notice, (C) Scheduling Auctions and a Sale Hearing, (D) Approving Procedures for the Assumption and Assignment of Contracts, and (E) Granting Related Relief, <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 406)	
334			10/9/2015 Findings of Fact, Conclusions of Law and Order (I) Confirming the Debtors' Fourth Amended Joint Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code and (II) Approving the Fourth Amended Disclosure Statement, <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 1615)	
335			8/17/2015 Email from L. Thybony to S. Deckoff and others	BDCF-00011892
336			8/27/2015 Email from R. Ehrlich to S. Deckoff and others	BDCF-00017936 - BDCF-00017944
337			9/13/2015 Email from S. Deckoff to L. Meier	BDCF-00018382
338			9/25/2015 Email from R. Ehrlich to S. Deckoff	BDCF-00030047 - BDCF-00030048
339			9/28/2015 Email from R. Ehrlich to S. Deckoff and others	BDCF-00039797
340			10/9/2015 Email from S. Deckoff to R. Ehrlich, J. Fontana	BDCF-00041458
341			10/9/2015 Email from R. Ehrlich to S. Deckoff	BDCF-00043973 - BDCF-00043974
342			10/9/2015 Email from R. Ehrlich to S. Deckoff	BDCF-00043981 - BDCF-00043982
343			10/9/2015 Email from R. Ehrlich to S. Deckoff	BDCF-00044034 - BDCF-00044036
345			10/10/2015 Email from R. Ehrlich to J. Fontana	BDCF-00044120 - BDCF-00044122
346			10/11/2015 Email from R. Ehrlich to S. Deckoff	BDCF-00044149

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
347			10/23/2015 Email from R. Ehrlich to S. Deckoff and others	BDCF-00076317 - BDCF-00076319
348			10/23/2015 Email from R. Ehrlich to S. Deckoff and others	BDCF-00076320 - BDCF-00076323
349			10/24/2015 Email from R. Ehrlich to S. Deckoff	BDCF-00077193
350			9/23/2015 Email from R. Lattouf to K. McCoy	VCLF-00055060 - VCLF-00055061
351			10/11/2015 Email from K. McCoy to S. Deckoff	VCLF-00020278 - VCLF-00020279
353			10/9/2015 Email from B. Murphy to K. McCoy and others	VCLF-00020154 - VCLF-00020155
354			10/9/2015 Email from K. McCoy to R. Ehrlich and others	VCLF-00020153
355			10/12/2015 Email from K. McCoy to R. Ehrlich	VCLF-00020408 - VCLF-00020410
356			9/12/2015 Email from K. McCoy to T. Clarke	TEN0018503 - TEN0018504
357			9/13/2015 Email from K. McCoy to T. Clarke	TEN0018531 - TEN0018533
359			10/8/2015 Email from K. McCoy to T. Clarke	VCLF-00020104
360			10/16/2015 Email from P. Potter to K. McCoy and others	VCLF-00175577 - VCLF-00175578
361			10/9/2015 Email from R. Ehrlich to K. McCoy	VCLF-00020160 - VCLF-00020161
364			10/11/2015 Email from T. Clarke to Z. Messenger	VCLF-00020350 - VCLF-00020351
365 ³			10/19/2015 Email from B. Murphy to K. McCoy	VCLF-00076472 - VCLF-00076478
366			10/23/2015 Email from T. Clarke to K. McCoy, J. McCoy	VCLF-00087581 - VCLF-00087582
367			10/28/2015 Email from K. McCoy to T. Clarke	VCLF-00102926
368			10/15/2015 Email from D. Baxter to T. Clarke	VCLF-00174779 - VCLF-00174780

³ The Parties reserve their rights to argue the evidentiary weight and permissible uses and purposes of this exhibit.

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
369			10/23/2015 Email from P. Potter to T. Clarke	VCLF-00182962 - VCLF-00182963
370			10/25/2015 Email from P. Potter to A. Troop	VCLF-00183984 - VCLF-00183986
371			10/21/2015 Email from P. Potter to J. Bernbrock	IM-00013301 - IM-00013305
372 ⁴			Citi Pension Liability Index	
373 ⁵			WV & KY LDFs	
375			2015 Agreement between The United Mine Workers of America and ERP Federal Mining Complex, LLC	VCLF-00137064 - VCLF-00137210
376			11/13/2009 PNC Bank Irrevocable Standby Letter of Credit for Applicant Patriot Coal Corp.	BDCF-00066505 - BDCF-00066513
377			5/3/2010 Bank of America Irrevocable Standby Letter of Credit for Applicant Patriot Coal Corp.	BDCF-00066514 - BDCF-00066518
378			11/5/2007 Bank of America Irrevocable Standby Letter of Credit for Applicant Patriot Coal Corp.	BDCF-00066520 - BDCF-00066526
379			11/6/2007 Fifth Third Bank Letter of Credit for Applicant Patriot Coal Corp.	BDCF-00066527 - BDCF-00066528
380			11/5/2007 Bank of America Irrevocable Standby Letter of Credit for Applicant Patriot Coal Corp.	BDCF-00066529 - BDCF-00066535
381			2/18/2015 Deutsche Bank Irrevocable Letter of Credit for Applicant Patriot Coal Corp.	BDCF-00066536
382			3/4/2015 Deutsche Bank Amendment to Irrevocable Standby Letter of Credit	BDCF-00066537

⁴ The Parties reserve their rights to argue the evidentiary weight and permissible uses and purposes of this exhibit.

⁵ The Parties reserve their rights to argue the evidentiary weight and permissible uses and purposes of this exhibit.

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
383			12/19/2014 Deutsche Bank Irrevocable Letter of Credit for Applicant Patriot Coal Corp.	BDCF-00066540 - BDCF-00066542
384			11/5/2007 Bank of America Irrevocable Standby Letter of Credit for Applicant Patriot Coal Corp.	BDCF-00066544 - BDCF-00066548
385			10/21/2015 Email from M. Mueller to A. Harris and others	BDCF-00075312 - BDCF-00075394
386			10/9/2015 Email from R. Ehrlich to K. McCoy	VCLF-00057886 - VCLF-00057892
387			9/22/2015 Email from R. Ehrlich to R. Lattouf	BDCF-00025928 - BDCF-00025952
388			10/28/2015 Notice of (I) Confirmation of the Debtors' Chapter 11 Plan of Reorganization, (II) Occurrence of the Effective Date, and (III) Related Bar Dates, , <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 1751)	
389 ⁶			Robert Briscoe Work File	
391			6/22/2017 Transcript of Hearing on Debtors' Motion for Entry of an Order, <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 2564)	
392			6/8/2017 Liquidating Trustee's Motion Seeking Approval to Sell Rights to Contingent Future Surplus Security for Payment of Workers' Compensation Obligations Free and Clear of All Liens, Claims, and Interests, <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 2553)	
393			6/27/2017 Order Granting Liquidating Trustee's Motion Seeking Approval to Sell Rights to Payments Relating to Contingent Future Surplus Workers' Compensation, <i>In re Patriot Coal</i>	

⁶ The Parties reserve their rights to argue the evidentiary weight and permissible uses and purposes of this exhibit.

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			Corp., Case No. 15-32450 (Dkt. No. 2566)	
395 ⁷			10/26/2015 Email from B. Murphy to J. Whitney and others	VCLF-00174104 - VCLF-00174110
396			10/15/2015 Email from R. Lattouf to S. Deckoff and others	BDCF-00050487
397			9/18/2015 Notice of Filing of Fourth Amended Disclosure Statement for Debtors' Fourth Amended Joint Plan of Reorganization, <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 1333)	
398			10/22/2015 Email from P. Potter to R. Kwasteniet	VCLF-00085610 - VCLF-00085614
399			8/31/2015 Email from R. Ehrlich to S. Deckoff and others	BDCF-00018025 - BDCF-00018047
400			Motion to Dismiss Defendants Kentucky Coal Employers' Self-Insurance Guaranty Fund and the Commonwealth of Kentucky, Labor Cabinet, Department of Workers Claims, or Alternatively To Transfer Venue To The United States District Court For The Eastern District Of Kentucky And Memorandum In Support, <i>Davis v. Commonwealth of Kentucky</i> , Case No. 16-03348 (Dkt. No. 5)	
401			Response to Loss Portfolio Transfer Offer, dated September 28, 2016, <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 2376-2)	
402			Response to Loss Portfolio Transfer Offer, dated September 29, 2016, <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 2376-3)	
403			10/24/2016 Transcript of Hearing on Debtors' Motion for Entry of an	

⁷ The Parties reserve their rights to argue the evidentiary weight and permissible uses and purposes of this exhibit.

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			Order, <i>In re Patriot Coal Corp.</i> , Case No. 15-32450 (Dkt. No. 2392)	
405			10/23/2015 Email from R. Lattouf to R. Ehrlich	BDCF-00076594 - BDCF-00076596
406			9/20/2015 Email from T. Clarke to J. McCoy re: Re: patriot deal	
407			9/23/2015 Email from J. McCoy to G. Chamblee re: Re: coal update	
408			10/26/2015 Email from T. Clarke to B. Bennett	VCLF-00090112 - VCLF-00090114
410			9/29/2015 Email from T. Clarke to R. Dombrowski	VCLF-00056183 - VCLF-00056185
413			10/24/2015 Email from R. Dombrowski to A. Lee	AMBD0003443 - AMBD0003446
414			10/22/2015 Email from T. Clarke to A. Harris	BDCF-00076089 - BDCF-00076094
417			Letter from Tim Booth to Patriot Coal Corporation	AMBD_B_0000219 - AMBD_B_0000221
419			Document titled “ACG Monetizing Insurance Liabilities in Bankruptcy, Current Corporate Insurance Obligations as a Source of Liquidity & a Way to Improve Cash Flow for the Estate & Creditors”	ACG_000002 - ACG_000003
420			PowerPoint presentation titled, “ACG Corporate Self Insurance Programs & Captives, Bankruptcy Specialists: Monetizing Insurance Liabilities in Bankruptcy”	ACG_000004 - ACG_000016
421			Document titled, “Hudson Structured & MultiStrat complete novel casualty ILS transaction”	ACG_000017 - ACG_000018
422			RFIB Policy Number: RARFP1700655 Risk Details	ACG_000019 - ACG_000043

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
423			Document titled, "ACG Liberate Your Captive Collateral; ACG Collateral Relief Strategies"	ACG_000001
505			9/15/2015 Email from R. Dombrowski to T. Clarke	VCLF-00048230
506			Defendants/Counterclaim Plaintiffs' Supplemental and Amended Responses and Objections to Plaintiff/Counterclaim Defendant's First Set of Interrogatories	
507			"ERP Issues Layoffs at West Virginia's Federal No. 2 Mine Ahead of Possible Idling," <i>Platts</i> (Sept. 19, 2017)	
A			3/29/1985 Opinion and Order in Big Yank v. Liberty Mutual Fire Ins Co. (Briscoe Ex. 3)	
B			10/7/1992 Bloomberg Law Big Yank v. Liberty Mutual Fire Ins Co. (Briscoe Ex. 2)	
C			6/10/2015 Letter Agreement between VCLF and Teneo to Tom Clarke from Henry van Dyke, Brent Williams (Ex A to Murphy)	VCLF-00029385- VCLF-00029393
D			8/16/2015 Asset Purchase Agreement between VCLF et al. and Patriot Coal Corp., (Clarke Ex. 7)	
E			8/20/2015 - Handwritten notes of R. Lattouf; (Lattouf Ex. 8)	BDCF-00082050- BDCF-00082140
F			9/9/2015, 8:47 PM EST - Email from S. Deckoff to A. Harris regarding "Re: Patriot" (Deckoff Ex. 1)	BDCF-00082481- BDCF-00082483
G			9/13/2015, 11:20 AM EST - Email from S. Deckoff to L. Meier regarding "Re:" (Deckoff Ex. 2)	BDCF-00018382
I			09/18/2015 44:24Z., Email from R. Kwasteniet to P. Potter et al. regarding "VCLF", (Potter Ex. 9)	PWSP-00023188- PWSP-00023191

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
J			9/19/2015, 15:42:01Z Email from P. Potter to S. Levine, regarding "Patriot", (Potter Ex. 3)	PWSP-00024359- PWSP-00024361
K			9/20/2015, 7:12AM EST - Email from A. Harris to P. Potter regarding "Re: Patriot: VCLF/Black Diamond" (Harris Ex. 2)	SRZ-00000034
L			9/20/2015, 1:02 PM EST - Email from E. Ehrlich to R. Silverman et al regarding "Auction" (Lattouf Ex.1)	BDCF-00082485
M			9/20/2015, 7:09 PM EST - Email from R. Ehrlich to S. Deckoff et al. regarding "Tomorrow" (Harris Ex. 2A)	BDCF-00018511
N			9/20/2015, 8:29 PM EST - Email from R. Ehrlich to T. Clarke regarding "RE: Revised ERP Federal Mining Complex, LLC Equity Allocation 9-20-2016.pdf" (Ehrlich Ex. 1, Harris Ex. 1)	BDCF-00018548- BDCF-00018559
O			Date: 9/20/2015, 9:18 PM EST; Email from R. Lattouf to R. Ehrlich regarding "Re: Tomorrow" (Lattouf Dep. Ex. 2)	BDCF- 00018560
P			9/20/2015, 13:57:24Z, Email from K. Miller to B. Murphy regarding "Patriot Summary-Murphy", (Murphy Ex. 28)	TEN0019455- TEN0019456
Q			9/20/2015 - Letter from Black Diamond to VCLF and ERP regarding "Re: Commitment Letter" (Gravenhorst Ex. 1)	BDCF- 00020504- BDCF- 00020508
R			9/21/2015, 9:22 AM EST - Email from S. Deckoff to R. Ehrlich, untitled (Deckoff Ex. 4, Potter Ex. 1))	BDCF-00018577
S			9/21/2015 - Letter from Black Diamond to VCLF and ERP regarding "Re: Commitment Letter" (Deckoff Ex. 5, Ehrlich Ex. 2, Gravenhorst Ex. 2, Harris Ex. 3, Lattouf Ex. 3)	BDCF- 00028000- BDCF- 00028009

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
T			9/22/2015, 7:59 AM EST - Email from R. Lattouf to R. Lattouf regarding "Patriot Coal Credit Notes.pdf – Adobe Acrobat Standard" (Lattouf Ex. 19)	BDCF-00020511- BDCF-00020514
U			9/22/2015, 7:59 AM EST - Email from R. Lattouf to R. Lattouf regarding "2015-05-01 Patriot Coal Packet.pdf – Adobe Acrobat Standard" (Lattouf Ex. 20)	BDCF-00020515- BDCF-00020592
V			9/22/2015, 8:03 AM EST - Email from R. Lattouf to R. Lattouf regarding "Patriot_FTI_2015_07_29_Lender Presentation.pdf – Adobe Acrobat Standard" (Lattouf Ex. 21)	BDCF- 00083068- BDCF- 00083130
W			9/22/2015, 8:04 AM EST - Email from R. Lattouf to R. Lattouf regarding "Patriot Letter to the Board Black Diamond.pdf – Adobe Acrobat Standard" (Lattouf Ex. 22)	BDCF- 00020593- BDCF-00020597
X			9/22/2015, 15:59:44Z -Email from P. Potter to A Harris et al. regarding "Re: Patriot VCLF-BD Transaction" (Potter Decl. Ex. B)	PWSP-00025675
Y			9/22/2015, 11:59 AM EST - Email from A. Harris to A. Troop et al. regarding "Re: Patriot: VCLF-BD Transaction" (Harris Ex. 6)	PWSP-00025675
Z			9/23/2015, 12:40 PM EST - Email from R. Lattouf to M. Connolly regarding "Re: Mine visit" (Lattouf Ex. 24)	BDCF-00026195- BDCF-00026197
AA			9/24/2015, 1:23 PM EST - Email from A. Harris to A. Troop et al. regarding "RE: Patriot: VCLF-BD Transaction" (Harris Ex. 7)	PWSP-00032310
AB			9/24/2015 - Handwritten note of R. Lattouf (Lattouf Ex. 18)	BDCF- 00081969- BDCF- 00081996

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
AC			9/29/2015, 5:00 PM EDT- Email from R. Lattouf to D. Tropp, M. Patrick et al. regarding "RE: Workers Comp Actuarial assessment-time sensitive"	BDCF-0003990- BDCF-0003997
AD			9/29/2015, 9:38 PM EST - Email from D. Tropp to R. Lattouf regarding "Re: Workers Comp Actuarial assessment – time sensitive" (Lattouf Ex. 23)	BDCF-00040076- BDCF-00040085
AE			10/8/2015, 5:46PM EDT Email from A. Harris to P. Potter regarding "Confirmation Order"	SRZ-00000104
AF			10/8/2015 and 10/9/2015 excerpt cover pages of Transcript of Continued Hearing (Potter Decl. Ex. E)	
AG			10/7/2015, 9:13 AM EST - Email from T. Clarke to R. Ehrlich regarding "Re: Commitment Letter" (Ehrlich Ex. 21, Harris Ex. 5)	BDCF- 00041379- BDCF- 00041380
AH			10/9/2015, 11:01AM EDT Email from J. Whitney to A. Harris regarding "Patriot: VCLF-BD Transaction"	SRZ- 00000121
AI			10/9/2015, 4:21 PM EST - Email from S. Deckoff to R. Ehrlich regarding "Re: Federal #2 Timing Comparison Plan A - Plan B 10-09-15" (Deckoff Ex. 6)	BDCF-00043456- BDCF-00043457
AJ			10/9/2015, 7:12 PM EST - Email from S. Deckoff to R. Ehrlich regarding "Re: Patriot Confirmation Order" (Deckoff Ex. 8)	BDCF-00043975- BDCF-00043976
AK			10/9/2015, 8:19 PM EST - Email from S. Deckoff to K. McCoy regarding "Re: Federal Business Unit – Monthly Income Statements 2013/2014/2015 July YTD" (Deckoff Ex. 7)	BDCF- 00043994- BDCF- 00043995
AL			10/9/2015 Excerpts from	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			Findings of Fact, Conclusions of Law, And Order (I) Confirming the Debtors' Fourth Amended Joint Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code and (II) Approving the Fourth Amended Disclosure Statement (Potter Decl. Ex. D)	
AM			10/9/2015 Findings of Fact, Conclusions of Law, And Order (I) Confirming the Debtors' Fourth Amended Joint Plan of Reorganization Pursuant to Chapter 11 of the Bankruptcy Code and (II) Approving the Fourth Amended Disclosure Statement (Ex. F)	
AN			10/9/2015 Schulte Roth & Zabel Invoice to Black Diamond	SRZ-00018891-SRZ-00018892
AO			10/10/2015, 4:26 PM EST - Email from R. Ehrlich to S. Deckoff regarding "Re:" (Deckoff Ex. 9)	BDCF-00044119
AP			10/11/2015, 9:04 AM EST - Email from S. Deckoff to R. Ehrlich et al. (Deckoff Ex. 10)	BDCF-00044145
AQ			10/12/2015, 5:04 PM EST - Email from P. Potter to A. Harris et al. regarding "FW: VCLF/Patriot Draft APA and Related Documents" (Harris Ex. 8)	SRZ-00000309-SRZ-00000311
AR			10/13/2015 11:41:44Z, Email from P. Potter to T. Clarke et al. regarding "Black Diamond", (Potter Ex. 49)	VCLF-00000174166-VCLF-00000174167
AS			10/13/2015 14:21:48Z, Email from T. Clarke to P. Potter et al. regarding "Black Diamond", (Potter Ex. 50)	VCLF-000174172-VCLF-000174173
AT			10/15/2015, 11:46am EDT- Email from M. Loreman to J. McCoy et al. regarding "Non-binding proposal to provide marketing services and	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			inventory/receivables financing” (Loreman Ex. 1)	
AU			10/16/2015, 1:02:2:46Z – Email from F. Kwok to A. Troop et al. regarding “VCLF/Patriot” (Potter Decl. Ex. F)	IM-00005322
AV			10/15/2015, 3:22PM Email from R. Dombrowski to P. Potter et al. regarding “Diligence Requests”, (Potter Ex. 10)	KE_BD_0002522- KE_BD_0002523
AW			10/16/2015, 15:48:09Z Email from P. Potter to M. Collins et al., regarding “VCLF-Environmental Due Diligence” (Potter Ex. 7)	IM-00005353- IM-00005356
AX			10/20/2015, 20:30:00Z Email from unknown (P. Potter?) to W. Sullivan et al. regarding “Patriot/VCLF: A&R Asset purchase Agreement”, (Potter Ex. 47)	VCLF-00177668
AY			10/20/2015, 8:54 PM EST - Email from P. Potter to D. Baxter et al. regarding “RE: Patriot/VCLF: A&R Asset Purchase Agreement” (Harris Ex. 9)	PWSP-00063467- PWSP-00063472
AZ			10/20/2015, 9:19 PM EST - Email from R. Ehrlich to S. Deckoff et al. regarding “FW: Patriot/VCLF: A&R Asset Purchase Agreement” (Deckoff Ex. 11)	SRZ-00008943- SRZ-00008962
BA			10/20/2015, 1:13:45Z Email from P. Potter to R. Kwasteniet et al., regarding “Patriot 10 Days of Inventory Calculation”, (Potter Ex. 8)	IM-00011856- IM-00011857
BB			10/21/2015, 6:39 PM EST - Email from A. Harris to P. Potter regarding “Re: Patriot APA Cover Letter Feedback” (Harris Ex. 10)	PWSP-00065859- PWSP-00065862
BC			10/21/2015, 7:40 PM EST - Email from R. Ehrlich to S. Deckoff et al. regarding “RE: Patriot APA Cover Letter Feedback” (Deckoff Ex. 12)	BDCF-00066708- BDCF-00066713
BD			10/21/2015 Draft Amended and Restated Asset Purchase Agreement (Clarke Ex. 16)	BDCF-00066943- BDCF-00067019

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
BE			10/22/2015, 9:31AM- Email from R. Kwasteniet to P Potter regarding "Can We Talk in 15 Minutes? Urgent" (Potter Decl. Ex. K)	PWSP-00068350-PWSP-00069504
BF			10/22/2015, 14:58:39Z, Email from P. Potter to C. Mirick et al. regarding "Patriot-Update. Initial response from K&E-Privileged and confidential Communication/Attorney Work Product/Prepared in Anticipation of Litigation" (Potter Ex. 48)	VCLF-00182731
BG			10/22/2015, 7:03 PM EST - Email from B. Murphy to R. Lattouf regarding "RE: Model" (Lattouf Ex. 4)	BDCF-00076221-BDCF-00076224
BH			10/22/2015, 3:40:06Z. Email from M. Mueller to S. Hessler et al. regarding "Patriot/VCLF: A&R Asset Purchase Agreement and Schedules" (Potter Decl. Ex. J)	VCLF- 00084559
BI			10/22/2015, 3:54:28Z, Email from P. Potter to R. Kwastenite et al. regarding "Patriot-VCLF APA Letter" (Potter Decl. Ex. I)	VCLF-00085610-VCLF-00085614
BJ			10/22/2015, 7:03PM EDT, Email from R. Lattouf to B. Murphy, regarding "RE: Model" (Murphy Ex. 11)	BDCF-00076221-BDCF-00076224
BK			10/22/2015, 23:55:19Z, Email from B. Murphy to T. Clarke et al. regarding "Patriot-Model Changes/Financing Charges" (Clarke Ex. 19)	TEN0028715
BL			10/23/2015, 7:01 AM EST - Email from T. Clarke to R. Ehrlich regarding "Federal Mining Complex PL and Balance Sheet Closing to CY2019 10-23-2015.pdf" (Ehrlich Ex. 4)	BDCF-00076276-BDCF-00076278
BM			10/23/2015, 7:04 AM EST - Email from T. Clarke to J. Fontana et al. regarding "Fwd:" (Ehrlich Ex. 5)	BDCF-00076285-BDCF-00076287
BN			10/23/2015, 9:26 AM EST - Email from R. Ehrlich to H. Gravenhorst regarding "FW: Summary of ERP Facilities" (Ehrlich Ex. 20, Lattouf	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			Ex. 5)	
BO			10/23/2015, 9:41 AM EST - Email from R. Ehrlich to H. Gravenhorst regarding "RE: Summary of ERP Facilities" (Deckoff Ex. 13, Ehrlich Ex. 22, Lattouf Ex. 6)	
BP			10/23/2015, 10:24 AM EST - Email from H. Gravenhorst to T. Clarke regarding "Summary of ERP Facilities" (Deckoff Ex. 4, Ehrlich Ex. 13, Gravenhorst Ex. 4, Harris Ex. 12, Lattouf Ex. 7)	BDCF-00076338- BDCF-00076340
BQ			10/23/2015, 11:02 AM EST - Email from D. Baxter to D. Baxter et al. regarding "VCLF Proposed Email from Pillsbury to K&E" (Ehrlich Ex. 9, Harris Ex. 11)	BDCF-00076344- BDCF-00076345
BR			10/23/2015, 11:22 AM EST - Email from R. Ehrlich to H. Gravenhorst regarding "RE: Summary of ERP Facilities" (Deckoff Ex. 15, Ehrlich Ex. 24-25, Lattouf Ex. 9)	
BS			10/23/2015, 1:12 PM EST - Email from R. Ehrlich to H. Gravenhorst regarding "Summary of ERP Facilities" (Deckoff Ex. 16, Ehrlich Ex. 26, Lattouf Ex. 10)	
BT			10/23/2015, 1:20 PM EST - Email from H. Gravenhorst to T. Clarke regarding "Summary of ERP Facilities" (Deckoff Ex. 17, Ehrlich Ex. 14, Gravenhorst Ex. 6, Harris Ex. 13, Lattouf Ex. 12)	BDCF-00076458- BDCF-00076460
BU			10/23/2015, 2:04 PM EST - Email from H. Gravenhorst to T. Clarke regarding "Summary of ERP Facilities" (Deckoff Ex. 18, Ehrlich Ex. 15, Gravenhorst Ex. 7, Harris Ex. 14, Lattouf Ex. 13)	BDCF-00076502- BDCF-00076504
BV			10/23/2015, 2:18 PM EST - Email from H. Gravenhorst to T. Clarke regarding "Summary of ERP Facilities" (Deckoff Ex.	BDCF-00076511- BDCF-00076513

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			19, Ehrlich Ex. 16, Gravenhorst Ex. 8, Harris Ex. 15, Lattouf Ex. 14)	
BW			10/23/2015, 2:39 PM EST – Email from R. Lattouf to R. Ehrlich regarding “FW: VCLF_Business Plan_102315_1pm.xlsx” (Lattouf Ex. 11)	BDCF-00076591- BDCF-00076593
BX			10/23/2015, 2:45 PM EST – Email from R. Lattouf to Z. Messenger regarding “Re: VCLF Business Plan _102315_1pm.xlsx” (Lattouf Ex. 15)	BDCF-00076597- BDCF-00076598
BY			10/23/2015, 15:02:23Z, Email from D. Baxter to D. Baxter et al. regarding “VCLF Proposed Email from Pillsbury to K&E” (Potter Decl. Ex. L)	PWSP-00069034- PWSP-00069035
BZ			10/23/2015, 15:10:13Z Email from M. Madden to B. Murphy, regarding “Re: Patriot Coal” (Murphy Ex. 14)	TEN0032607- TEN0032608
CA			10/23/2015, 3:29:02PM Email from P. Potter to P. Potter regarding “Commitment Letter”, (Potter Ex. 2)	BDCF-00077244- BDCF-00077245
CB			10/23/2015, 4:14 PM EDT- Email from D. Carickhoff to H Epstein, JR Bermbock, P Potter et al. regarding “Patriot Coal/AIG-Further Revised Stipulation-v4 agst v5 [IWOV-Archer.FID3676537]	BDCF-00076713- BDCF-00076725
CC			10/23/2015, 8:54 PM, Email from P. Potter to R. Kwasteniet regarding “Re: The 3pm was moved to 3:30” (Potter Ex. 18)	KE_BD_0002431
CD			10/23/2015, 12:47:32Z Email from J. McCoy to M. Loreman et al., regarding “call”, (Murphy Ex. 16)	TEN0032586
CE			10/23/2015, 18:01:45Z- Email from J. McCoy to T. Clarke regarding “Re: Summary of ERP Facilities”, (J. McCoy Ex. 23, K.	VCLF-00087672- VCLF-00087673

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			McCoy Ex. 19)	
CF			10/23/2015, 19:55:29Z, Email from P. Potter to T. Clarke et al. regarding "Total Non Starter This is DEAD! No one can believe Pillsbury will work on closing this", (Potter Ex. 25)	VCLF-000183073-VCLF-000183075
CG			10/23/2015 20:00:11Z Email from P. Potter to T. Clarke et al. regarding "Total Non Starter This is DEAD! No one can believe Pillsbury will work on closing this", (Potter Ex. 26)	VCLF-000183080-VCLF-000183082
CH			10/23/2015, 21:28:06Z Email from K. McCoy to P. Potter regarding "Confidential Request", (Potter Ex. 38)	VCLF- 00183194
CI			10/23/2015, 21:31:09Z Email from P. Potter to K. McCoy regarding "Confidential Request" (Potter Ex. 39)	VCLF- 00183195
CJ			10/23/2015, 22:51:57Z, Email from M. Loreman to M. Collins at al. regarding "Re: Documents from Tom Clarke" (Loreman Ex. 5)	VCLF-00088150
CK			10/24/2015, 4:35 PM EST – Email from S. Deckoff to R. Ehrlich regarding "Re:" (Deckoff Ex. 20)	BDCF-00077192
CL			10/24/2015, 5:21 PM EST – Email from R. Ehrlich to T. Clarke regarding "Update" (Harris Ex. 18)	BDCF-00077196
CM			10/24/2015, 6:59 PM EST – Text messages from S. Deckoff (Deckoff Ex. 23)	BDCF-00082153-BDCF-00082155
CN			10/24/2015, 7:01 PM EST – Email from S. Deckoff to M. Moreno, untitled (Deckoff Ex. 22)	BDCF-00082156
CO			10/24/2015, 11:54:07Z, Email from T. Clarke to K. McCoy et al., regarding "Non-binding proposal to provide marketing services and inventory/receivables financing", (K. McCoy Ex. 18)	TEN0032667-TEN0032670

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
CP			10/24/2015, 18:44:52Z, Email from B. Murphy to D. Baxter et al. regarding "Patriot-BDCM Term Sheet/Commitment Letter", (Potter Ex.27)	VCLF-0018335-VCLF-00183341
CQ			10/24/2015, 18:56:42Z, Email from D. Baxter to T. Clarke et al. regarding "Patriot-BDCM Term Sheet/Commitment Letter", (Potter Ex. 29)	VCLF-00183386-VCLF-00183393
CR			10/24/2015, 18:58:21Z, Email from A. Troop to T. Clarke et al. regarding "Patriot-BDCM Term Sheet/Commitment Letter", (Potter Ex. 28)	VCLF-00183378-VCLF-00183385
CS			10/24/2015, 21:27:12Z, Email from B. Murphy to Patriot Coal et al. regarding "Counter", (Potter Ex. 5)	VCLF- 00173673
CT			10/24/2015, 23:36:47Z, Email from B. Murphy to A. Troop et al. regarding "Patriot-Debtor Loan/Terms", (Potter Ex. 51)	VCLF-00183409-VCLF-00183410
CU			10/24/2015– Text message from S. Deckoff to T. Clarke (Deckoff Ex. 21)	BDCF-00077481
CV			10/25/2015, 10:55 AM EST – Email from R. Ehrlich to S. Deckoff regarding "Fwd: Blackhawk Mining LLC – Credit Agreements" (Ehrlich Ex. 11)	BDCF-00077216-BDCF-00077218
CW			10/25/2015, 2:59:39 PM, Email from P Potter to P. Potter regarding "Summary of ERP Facilities 2:59:39PM", (Potter Ex. 14)	BDCF-00077246-BDCF-00077248
CX			10/25/2015, 3:00:28 PM Email from P Potter to P. Potter, regarding "Summary of ERP Facilities", (Potter Ex. 12)	BDCF- 00077236-BDCF- 00077239
CY			10/25/2015, 3:00:56 PM Email from P. Potter to P. Potter regarding "Summary of ERP Facilities 2:04pm", (Potter Ex. 13)	BDCF- 00077240-BDCF- 00077243
CZ			10/25/2015, 3:01:23 PM, Email from P. Potter to P. Potter regarding "Summary of ERP Facilities 10:24am", (Potter Ex.	BDCF-00077249-BDCF-00077251

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			11)	
DA			10/25/2015, 3:41PM, Email from P. Potter to A. Harris et al. regarding "In re Patriot Coal-VCLF/Black Diamond" (Potter Ex. 15)	BDCF-00077219-BDCF-00077220
DB			10/25/2015, 10:47 PM EST – Email from S. Deckoff to R. Ehrlich regarding "Re: Federal Weekly Cash flow 10- 23- 2015.pdf" (Deckoff Ex. 24)	BDCF-00077214-BDCF-00077215
DC			10/25/2015, 4:02 PM EST – Email from A. Harris to R. Ehrlich et al. regarding "Fwd: In re Patriot Coal – VCLF/Black Diamond" (Ehrlich Ex. 17, Harris Ex. 16)	SRZ-00018656-SRZ-00018692
DD			10/25/2015, 6:21PM EDT, Email from A. Harris to P. Potter et al., regarding In re Patriot Coal-VCLF/Black Diamond (Potter Decl. Ex. N, Potter Ex. 19)	BDCF-00077252-BDCF-00077253
DE			10/25/2015, 14:53:11Z, Email from P. Potter to T. Clarke et al., regarding "Privileged and Confidential Attorney- Client Communication, Attorney work product, prepared in anticipation of litigation", (Potter Ex. 30)	VCLF-00183514
DF			10/25/2015, 15:06:52Z, Email, regarding "Privileged and Confidential Attorney-Client Communication, Attorney work product, prepared in anticipation of litigation", (Potter Ex. 31)	VCLF-00183526-VCLF-00183527
DG			10/25/2015, 15:38:31Z, Email from T. Clarke from P. Potter regarding "Summary of ERP Facilities", (Potter Ex. 32)	VCLF- 0018358-VCLF- 00183540
DH			10/25/2015, 15:38:34Z, Email regarding Summary of ERP Facilities", (Potter Ex. 33)	VCLF-00183544-VCLF-00183546
DI			10/25/2015. 15:39:10Z, Email from P. Potter to T. Clarke	VCLF- 00183547-VCLF- 00183549

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			regarding "Summary of ERP Facilities", (Potter Ex. 34)	
DJ			10/25/2015, 15:42:31Z, Email, regarding "Summary of ERP Facilities", (Potter Ex. 35)	VCLF-00183554- VCLF-00183556
DK			10/25/2015, 15:44:35Z, Email from T. Clarke from P. Potter regarding "Summary of ERP Facilities", (Potter Ex. 36)	VCLF- 00183565- VCLF- 00183568
DL			10/25/2015 15:46:01Z, Email from T. Clarke to P. Potter, regarding "Privileged and Confidential, Attorney work product. For litigation", (Potter Ex. 40)	VCLF-0018573- VCLF-0018354
DM			10/25/2015, 16:06:34Z-Email from T. Clarke to P. Potter et al. regarding "Re: Summary of ERP Facilities" (Potter Ex. 37)	VCLF-00183651- VCLF-00183657
DN			10/25/2015, 16:53:03Z, Email from W. Sullivan to A. Troop et al., regarding "Privileged and Confidential, Attorney work product prepared in anticipation of litigation" (Potter Ex. 41)	VCLF-00183705- VCLF-00183707
DO			10/25/2015, 19:15:25Z, Email from P. Potter to A. Troop et al., regarding "Letter to Adam Harris-last call for comments", (Potter Ex. 42)	VCLF-00183759- VCLF-00183760
DP			10/25/2015, 19:17:55Z, Email from C. Mirick to P. Potter et al. regarding "letter to Adam Harris last call for comments", (Potter Ex. 43)	VCLF-0018377- VCLF-00183778
DQ			10/25/2015, 19:41:56Z, Email from P. Potter to A. Harris et al., regarding "In re Patriot Coal- VCLF/Black Diamond" (Potter Decl. Ex. M)	VCLF-0088837- VCLF-0088866
DR			10/25/2015, 20:03:12Z, Email from P. Potter to C. Mirick et al. regarding "letter to Adam Harris last call for comments", (Potter Ex. 44)	VCLF-000183900- VCLF-000183904
DS			10/25/2015, 22:31:39Z, Email from P. Potter to A. Troop et al.,	VCLF-000183962- VCLF-000183963

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			regarding "Privileged and Confidential, Attorney work product prepared in anticipation of litigation", (Potter Ex. 45)	
DT			10/25/2015, 8:43PM EDT, Email from P. Potter to A. Harris et al., regarding "RE: In re Patriot Coal- VCLF/Black Diamond" (Potter Decl. Ex. O)	BDCF-00077254- BDCF-00077293
DU			10/25/2015, 8:43PM EDT, Email from P. Potter to A. Harris regarding "RE: In re Patriot Coal-VCLF/Black Diamond", (Potter Decl. Ex. 20)	BDCF-00077254- BDCF-00077256
DV			10/25/2015, 9:21 PM EST – Email from A. Harris to R. Ehrlich et al. regarding "FWD: In re Patriot Coal – VCLF/Black Diamond" (Harris Ex. 19)	BDCF-00077264- BDCF-00077274
DW			10/25/2015, 9:49PM EST – Email from A. Harris to R. Ehrlich regarding "Re: In re Patriot Coal – VCLF/Black Diamond" (Deckoff Ex. 25, Harris Ex. 20)	BDCF-00077285- BDCF-00077289
DX			10/25/2015, 11:34 PM EST – Email from A. Harris to P. Potter regarding "RE: In re Patriot Coal – VCLF/Black Diamond" (Ehrlich Ex. 18, Harris Ex. 17, Potter Ex. 22)	BDCF-00077290- BDCF-00077293
DY			10/25/2015 letter to A. Harris from P. Potter regarding "In re Patriot Coal Corp. et al. Case No. 15-32450 Chapter 11" (Potter Ex. 21)	BDCF-00077262- BDCF-00077263
DZ			10/25/2015 letter to A. Harris from P. Potter regarding "In re Patriot Coal Corp. et al. Case No. 15-32450" (Potter Ex. 16)	BDCF-00077231- BDCF-00077235
EA			10/25/2015 letter to A. Harris from P. Potter regarding: "In re Patriot Coal et al.", (Potter Ex. 30a)	VCLF-00183515- VCLF-00183518
EB			10/26/2015, 3:33 PM EST – Email from D. Ozen to R. Lattouf, untitled (Lattouf Ex.	BDCF-00077356

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			16)	
EC			10/26/2015, 04:12:27Z, Email from P. Potter to C. Mirick et al. regarding "In re Patriot Coal-VCLF Black Diamond", (Potter Ex. 46)	VCLF-00185523-VCLF-00185526
ED			10/26/2015, 5:59 PM EST - Email from D. Pinsky to P. Potter regarding "BLACK DIAMOND COMMERCIAL FINANCE, LLC -v.- VIRGINIA CONSERVATION LEGACY FUND, INC. et al.; Supreme Court NY Cty" (Ehrlich Ex. 12, Harris Ex. 21)	BDCF-00077353-BDCF-00077355
EE			10/26/2015, 12:43pm EDT – Email from David Carickhoff to H. Epstein, J.R. Bernbock, P. Potter et al., regarding "Patriot Coal/AIG- Further Revised Stipulation- v5 agst v7 [IWOV-Archer.FID3676537]	BDCF-00077301-BDCF-00077326
EF			10/26/2015, 18:56:25Z Email from J. Bell to J. Whitney et al. regarding "Funding by Govind Chandak", (Potter Ex. 6)	VCLF- 00091977
EG			10/26/2015, 23:30:46Z Email from B. Murphy to D. Baxter et al. regarding " Call to discuss UMWA" (Potter Ex. 52)	VCLF-000187568-VCLF-000187569
EH			10/27/2015 Equity Investment Term Sheet ERP Mining Complex LLC and ERP Settlement LLC (Clarke Ex. 2)	VCLF-00160295-VCLF-00160299
EI			10/27/2015 Assignment and Assumption Agreement	VCLF-00010900-VCLF-00010910
EJ			10/27/2015 Amended and Restated Asset Purchase Agreement (Clarke Ex. 3)	
EK			10/27/2015 Promissory Note, Earnout Agreement and Security Agreement (Clarke Ex. 1)	KE-BD-0007124-KE-BD-0007143
EL			10/28/2015, 11:57am, Email from A. Harris to P. Potter et al., regarding "Patriot", (Potter Ex. 23)	BDCF-00077396

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
EM			10/28/2015, 12:00:30Z Email from K. McCoy to T. Clarke regarding "Re", (K. McCoy Ex. 20)	VCLF-00102926
EN			10/29/2015, 1:50PM EDT, Email from P. Potter to A. Harris regarding "Patriot-Black Diamond, (Potter Ex. 24)	BDCF- 00077405-BDCF- 00077406
EO			10/29/2015, 1:53 PM EST – Email from A. Harris to S. Goldfarb et al. regarding "FW: Patriot – Black Diamond" (Ehrlich Ex. 19, Harris Ex. 22)	BDCF-00077407-BDCF-00077409
EP			11/05/2015 - Complaint (Deckoff Ex. 2A, Ehrlich Ex. 8)	
EQ			11/9/2015 – Email from R. Lattouf to R. Ehrlich, untitled (Lattouf Ex. 17)	BDCF-00077418
ER			11/12/2015 Schulte Roth & Zabel invoice to Black Diamond	SRZ-00018881-SRZ-00018890
ES			12/3/2015 Reorganized Debtors' Motion For Entry of An Order (A) Authorizing Entry Into Loss Portfolio Transfer Transactions and (B) Granting Related Relief	
ET			1/15/2016 Letter from Oliver Wyman to Brian Lindhal, SVP of Brown and Brown (Briscoe Ex. 10)	
EU			Briscoe Ex. 41/29/16 Order (A) Authorizing Entry Into LPT Transactions and (B) Granting Related Relief	
EV			10/14/2016 Plaintiff's Amended Initial Disclosures Pursuant to Rule 7026 of the Federal Rules of Bankruptcy Procedure (Potter Decl. Ex. Q)	
EW			12/12/2016 – Plaintiff's Responses and Objections to Defendants/Counterclaim- Plaintiffs' First Set of Interrogatories (Ehrlich Ex. 6)	
EX			2/8/2017 – AT&T Phone Records (Ehrlich Ex. 7)	
EZ			4/4/2017 – Plaintiff's Privilege Log (Ehrlich Ex. 10)	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
FE			6/8/2017 Liquidating Trustee's Motion Seeking Approval To Sell Rights To Contingent Future Surplus Security for Payment of Workers' Compensation Obligations Free and Clear of All Liens, Claims and Interests (Briscoe Ex. 8)	
FF			6/22/2017 Transcript of hearing on Debtors' Motion for Entry of an Order, A, Authorizing the Debtors to Reject Certain Executory Contracts and Unexpired Leases, Effective Nunc Pro Tunc to August 13, 2015, and B, Granting Related Relief filed by Patriot Coal Corporation (filed 8/13/2015), Docket No. 820; Debtors' Fourteenth Omnibus Objection to Certain, A, No-liability Retiree Benefit Claims, and, B, No-liability Retiree Benefit and Pension Claims filed by Patriot Coal Corporation (filed 11/23/2015), Docket No. 1858; Debtors' Fifteenth Omnibus Objection to Certain, A, Duplicative Claims, B, Late-filed Claims, C, Substantive Duplicate Claims, D, Amended or Superseded Claims, E, Insufficient Documentation Claims, F, Satisfied Claims and, G, No-liability Claims filed by Patriot Coal Corporation (filed 1/26/2016, Docket No. 2083; Liquidating Trustee's Motion Seeking Approval to Sell Rights to Contingent Future Surplus Security for Payment of Workers' Compensation Obligations Free and Clear of All Liens, Claims and Interests filed by Patriot Coal Corporation (filed 6/8/17), Docket No. 2553 (Briscoe Ex. 7)	
FG			6/27/2017 Order Granting Liquidating Trustee's Motion Seeking Approval To Sell Rights To Payments Relating to Contingent Future Surplus Workers' Compensation Security Free and Clear of All	

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
			Liens, Claims and Interests (Briscoe Ex. 9)	
FH			10/16/2017 Privilege log (Potter Ex. 17)	
FI			4/17/2018 Expert Report of Robert K. Briscoe WCP (Briscoe Ex. 1)	
FK			5/3/2018 Robert Briscoe Work File (Briscoe Ex. 4)	
FL			5/10/2018 Black Diamond Capital Management Website printout (Briscoe Ex. 5)	
FN			Undated Total HealthCo Proceeds (Potter Ex. 52A)	VCLF-00187570
FO			3/5/2018 Consulting Services Agreement with Milliman, Inc.	
FP			4/9/2018, 5/16/2018 Invoices from Milliman, Inc.	
FQ			9/1/2015 Order (A) Approving Bid Protections in Connection with the Sale of Certain of the Debtors' Assets and (B) Granting Related Relief	
FS			2/17/2017 Letter from T. Booth to Patriot Coal (identical to Plaintiff's Exhibit 417)	
FT			Docket sheet of <i>Eugene Davis v. Commonwealth of Kentucky, et al. (In re Patriot Coal Corp.)</i> , Adv. Proc. 16-03348 (KLP) (Bankr. E.D. Va.)	

2. The following exhibits shall be entered into evidence, but not for the truth of matters asserted in statements by non-parties in those exhibits:

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
22			9/16/2015 Email from R. Dombrowski to T. Clarke	PWSP-00022778
23			9/16/2015 Email from R. Dombrowski to T. Clarke	PWSP-00023152
28			9/18/2015 Email from R. Kwasteneit to P. Potter	PWSP-00023188 - PWSP-00023191
32			9/19/2015 Email from P. Potter to S. Levine	PWSP-00024359 - PWSP-00024361
60			10/11/2015 Email from B. Bennett to T. Clarke and others	KE_BD_0002557
70			10/15/2015 Email from J. Weiss to R. Lattouf, R. Ehrlich	BDCF-00046827 - BDCF-00046829
71			10/15/2015 Email from R. Dombrowski to P. Potter	KE_BD_0002522 - KE_BD_0002523
82			10/19/2015 Email from B. Murphy to R. Lattouf	BDCF-00054652 - BDCF-00054653
93			10/20/2015 Email from Z. Messenger to R. Ehrlich	TEN0028572 - TEN0028573
94			10/20/2015 Email from Z. Messenger to B. Murphy	TEN0032393
127			10/23/2015 Email from Z. Messenger to B. Murphy	TEN0032589
128			10/23/2015 Email from Z. Messenger to B. Murphy	TEN0032594 - TEN0032595
130			10/23/2015 Email from J. DeKoe to B. Murphy	TEN0032635
160			10/24/2015 Email from B. Murphy to S. Bremer	CENTERVIEW_BD_0001662
168			10/24/2015 Email from B. Murphy to T. Clarke	VCLF-00174043 - VCLF-00174045
172			10/24/2015 Email from A. Troop to T. Clarke	VCLF-00183378 - VCLF-00183385
173			10/24/2015 Email from D. Baxter to T. Clarke	VCLF-00183386 - VCLF-00183393

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
233			10/30/2015 Email from Z. Messenger to B. Murphy	TEN0033054
234			10/30/2015 Email from Z. Messenger to B. Murphy	TEN0033072
235			10/30/2015 Email from Z. Messenger to B. Murphy	TEN0033073 - TEN0033074
275			9/25/2015 Email from J. Weiss to D. Jones and others	BDCF-00030053
280			9/29/2015 Notes re: Call with John Weiss - John T. Boyd Company - Preliminary Diligence Takeaways on Federal 2 Mine	BDCF-00039907 - BDCF-00039914
283			10/16/2015 Email from Z. Messenger to R. Ehrlich, R. Lattouf	BDCF-00052217 - BDCF-00052218
325			10/9/2015 Email from J. Weiss to R. Ehrlich and others	BDCF-00043990 - BDCF-00043992
344			10/10/2015 Email from J. Weiss to S. Deckoff	BDCF-00044108 - BDCF-00044114
352			9/14/2015 Email from Z. Messenger to K. McCoy and others	TEN0018566 - TEN0018567
358			10/6/2015 Email from C. Childers to K. McCoy	VCLF-00020094
362			10/19/2015 Email from B. Murphy to K. McCoy	VCLF-00076856
363			10/19/2015 Email from B. Murphy to R. Lattouf	TEN0027959
390			BDCM website screenshots: Welcome, About Us, Our Values, Our Investment Philosophy, Contact Us	
404			10/22/2015 Email from Z. Messenger to R. Lattouf, B. Murphy	BDCF-00076174 - BDCF-00076177
409			10/26/2015 Email from B. Bennet to T. Clarke	VCLF-00090139
411			10/11/2015 Email from R. Dombrowski to T. Clarke	CENTERVIEW_B D_0000050 - CENTERVIEW_B D_0000052

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
412			10/3/2015 Email from R. Dombrowski to T. Clarke	AMBD0002267 - AMBD0002268

3. The Parties acknowledge that the following exhibits were admitted at trial:⁸

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
415			Self-Insured Employer Loss Portfolio Transfer Checklist	AMBD_B_0000209 - AMBD_B_0000210
416			Loss Portfolio Transfer Offer from PCC Liquidating Trust to Kentucky Coal Employers' Self-Insurance Guaranty Fund	AMBD_B_0000211 - AMBD_B_0000218
418			9/22/2015 Email from R. Ehrlich to L. Meier	BDCF-00020622
H			9/14/2015, 9:20 AM EST - Email from A. Harris to S. Deckoff et al. regarding "Patriot Board Letter.DOCX" (Deckoff Ex. 3)	BDCF-00018386- BDCF-00018390
FM			5/17/2018 Daniel Spragg/Alvarez & Marsal webpage	
FR			10/11/2015 Email from Z. Messenger to R. Ehrlich regarding "RE: Patriot – Updated 13 Week Cash Budget"	VCLF-00020368- VCLF-00020371

⁸ This section does not include exhibits that were admitted into evidence at trial after the Parties stipulated to their admission on June 3, 2018 (ECF Doc. No. 341).

4. The Parties acknowledge that the following exhibits were admitted at trial, but not for the truth of the matter asserted:

Exhibit No.	Identified	Admitted	Description	BegBates and EndBates
19			9/12/2015 Email from R. Dombrowski to T. Clarke	PWSP-00018685 - PWSP-00018686
24			9/17/2015 Email from R. Dombrowski to P. Potter	PWSP-00023170 - PWSP-00023172
25			9/17/2015 Email from R. Dombrowski to T. Clarke	PWSP-00023175
208			10/26/2015 Email from B. Murphy to D. Baxter	VCLF-00187568 - VCLF-00187571
284			10/20/2015 Email from Z. Messenger to R. Ehrlich and others	BDCF-00058506 - BDCF-00058507
290			10/22/2015 Email from B. Murphy to J. Kucish	BDCF-00075675 - BDCF-00075683

WE ASK FOR THIS:

/s/ Patrick J. Potter

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Certificate of Service

I hereby certify that on June 25, 2018, I caused the foregoing stipulation to be filed with and uploaded to this Court's CM/ECF system, which will send filing to all CM/ECF participants, and on the following parties by email:

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